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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS W.S. RICHEY,

Plaintiff,

v.

DENNIS DAHNE,

Defendant.

CASE NO. C12-5060-BHS

MOTION FOR NOTICE
OF ADJUDICATIVE FACT.

Plaintiff, Thomas Richey, pro-se, hereby submits this motion for notice of adjudicative fact for the purpose of ensuring that this Court take notice of adjudicated facts. The facts Richey is asking this court to verify have already been adjudicated and are therefore uncontrovertible.

FACTS ADJUDICATED

1. This Court held in its granting of Summary Judgment in favor of Richey, that Defendant Dahne violated Richey's right to petition by dismissing Richey's grievance because Richey refused to rewrite his grievance to omit the words "extremely obese."

TRUE ☐ FALSE ☐

Explanation, if any:

2. Richey has a 1st Amendment right to Freedom of speech in grievances.

TRUE ☐ FALSE ☐

Explanation, if any:

3. Whatever Language Richey chooses to write in a prison grievance is absolutely protected under the 1st Amendment so long as Richey makes no threat against the life or safety of a person.

TRUE ☐ FALSE ☐

4. So long as Richey, or any other prisoner, does not threaten the safety of others in his grievances, it is the duty and obligation of prison staff to accept and file a prison grievance

TRUE ☐ FALSE ☐

Explanation, if any:

5. Defendant Dahne should have accepted and filed Richey's grievance in November, 2011.

TRUE ☐ FALSE ☐

Explanation, if any:

6. Defendant Dahne violated Richey's right to Petition when he refused to accept and file the properly ~~file~~ submitted grievance

TRUE ☐ FALSE ☐

Explanation, if any:

Dated this _____ day of August, 2019

S:

HON. JUDGE BENJAMIN H. SETTLE

submitted by;
Thomas W S Richey

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